

## Legislation Details (With Text)

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<b>File #:</b>	22-668	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	6/8/2022	<b>In control:</b>	City Council
<b>On agenda:</b>	6/27/2022	<b>Final action:</b>	6/27/2022
<b>Title:</b>	Public hearing and first reading of an ordinance regarding a proposed rezoning from "M-1" Light Industrial District to "R-2A" Single-Family and Two-Family District on approximately 0.44 of an acre being a portion of Lots 8, 9 & 10, New City Block 5102, addressed at 243 E. Torrey Street.		

**Sponsors:****Indexes:****Code sections:****Attachments:** 1. City Maps, 2. District Comparison Table, 3. TIA Form & Determination Letter, 4. Subject Property Photos, 5. Notification Map, List & Responses, 6. PC Draft Minutes, 7. Draft Ordinance

Date	Ver.	Action By	Action	Result
6/27/2022	1	City Council	approved	

**PRESENTER:**

Jean Drew, AICP, CNU-A, Planning &amp; Development Services Assistant Director

**SUBJECT:**

Public hearing and first reading of an ordinance regarding a proposed rezoning from "M-1" Light Industrial District to "R-2A" Single-Family and Two-Family District on approximately 0.44 of an acre being a portion of Lots 8, 9 &amp; 10, New City Block 5102, addressed at 243 E. Torrey Street.

**DEPARTMENT:** Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** 5**BACKGROUND INFORMATION:**

Case #: PZ22-0173

**Applicant/****Owner:** Larry Mills  
515 W Edgewater Terrace  
New Braunfels, TX 78130  
(830) 232-6725  
larry.mills@holtcat.com**Staff Contact:** Matthew Simmont  
(830) 221-4058      msimmont@nbtexas.org

The approximately 0.44-acre subject property is located about 200 feet east of the intersection of E. Torrey Street and N. Houston Ave. The property has 76 feet of frontage along E. Torrey Street with the rear boundary adjacent to the UPRR tracks, and is currently vacant. The block is residential and the applicant intends to develop the property for residential use.

*Surrounding Zoning and Land Use:*

North - Across railroad ROW, M-1 / Undeveloped  
South - Across E. Torrey St., R-2 / Single-family residences  
East - M-1 / Multifamily residences  
West - M-1 / Single-family residence

**ISSUE:**

R-2A will allow both single-family and two-family residential. The proposed district is consistent with the following actions from Envision New Braunfels:

- *Action 1.3* Encourage balanced and fiscally responsible land use patterns.
- *Action 3.13* Cultivate an environment where a healthy mix of different housing products at a range of sizes, affordability, densities, amenities and price points can be provided across the community as well as within individual developments.

Future Land Use Plan: The subject property is located within the New Braunfels Sub Area near Existing Medical and Tourist Centers.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Approval. The applicants' proposal would allow the property to be developed for residential use. This would be compatible with existing residential development in the area and consistent with the Comprehensive Plan.

The Planning Commission held a public hearing on June 7, 2022 and recommended approval (8-0) with Commissioner Nolte recused.

*Mailed notification as required by state statute:*

Public hearing notices were sent to owners of 17 properties within 200 feet of the request. The City has received no responses in objection or in favor from owners of property within the notification area.

Resource Links:

- Chapter 144, Section 3.3-11. “M-1” Light Industrial District of the City’s Code of Ordinances:  
<[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOR\\_CH144ZO\\_ARTIIIIZODI\\_S144-3.3ZODIREPRZOPRJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.3ZODIREPRZOPRJU221987)>
- Chapter 144, Section 3.4-3. “R-2A” Single-Family and Two-Family District of the City’s Code of Ordinances:  
<[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOR\\_CH144ZO\\_ARTIIIIZODI\\_S144-3.4ZODIREPRZOSUJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.4ZODIREPRZOSUJU221987)>